

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOE RICHARD “TREY” POOL, III,
TRENTON DONN “TRENT” POOL,
and ACCELEVATE2020, LLC,

Plaintiffs

V.

CITY OF HOUSTON, and ANNA
RUSSELL, in her official capacity as the
City Secretary of the City of Houston,

Defendants.



Civil Case No. 4:19-cv-02236

**PLAINTIFFS' NOTICE OF STATUS REGARDING DEFENDANTS' AMENDED
MOTION TO DISMISS**

On May 25, 2021, Defendants filed a motion for leave, asking the Court to “allow Houston to file the attached motion and memorandum,” referring to their proposed Amended Motion to Dismiss or, Alternatively, Motion for Summary Judgment, with excess pages. ECF No. 67. On June 15, 2021, the Court granted Defendants’ motion. ECF No. 69. The order states that the document “may be filed without complying with” the court’s procedure 4(H) as to page limits. The amended motion has not yet been filed on the docket subsequent to the June 15 order so as to establish a submission deadline for the motion (and therefore Plaintiffs’ response deadline). For example, after the Court granted the Plaintiffs’ opposed motion to amend their complaint, the proposed amended complaint was then filed on the docket by the district court clerk. ECF Nos. 63 & 64.

Plaintiffs file this notice simply to call this issue to the attention of the Court and Defendants, so that either the Defendants or the district clerk may file the approved document on the docket to establish Plaintiffs' response deadline.

Respectfully submitted,

AUSTIN M. B. WHATLEY
Texas Bar No. 24104681
Southern District No. 3348472
austin@najvarlaw.com
Of Counsel

/s/ Jerad Najvar
JERAD NAJVAR
Texas Bar No. 24068079
Southern District No. 1155651
2180 N. Loop W., Ste. 255
Houston, TX 77018
Tel.: 281.404.4696
Fax: 281.582.4138
jerad@najvarlaw.com
Attorney-in-Charge

PAUL A. ROSSI
Pennsylvania Bar. No. 84947
Pennsylvania Middle District Bar No. 84947
IMPG Advocates, Inc.
Paul-Rossi@comcast.net
Of Counsel

Najvar Law Firm, PLLC
2180 N. Loop W.,
Suite 255
Houston, TX 77018
Of Counsel

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on July 6, 2021, the foregoing document, and any accompanying exhibits, was served by CM/ECF as follows:

Suzanne R. Chauvin
Senior Assistant City Attorney
City of Houston Legal Department
900 Bagby, 4th Floor
Houston, Texas 77002

Suzanne.Chaudin@houston.tx.gov

832.393.6219 (O)

832.393.6259 (F)

Counsel for Defendants

/s/ Austin M. B. Whatley

Austin M. B. Whatley